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8 Attorneys for Defendants

9 COMCAST OF ALAMEDA, INC.; COMCAST OF
10 CALIFORNIA II, INC.; COMCAST OF CALIFORNIA III,
11 INC.; COMCAST OF CALIFORNIA IX, INC.; COMCAST
12 OF CALIFORNIA V, INC.; COMCAST OF CALIFORNIA
13 VI, INC.; COMCAST OF CALIFORNIA X, INC.;
14 COMCAST OF CALIFORNIA XIII, INC.; COMCAST
15 CORPORATION; COMCAST OF FRESNO, INC.;
16 COMCAST OF MARIN I, INC.; COMCAST OF MARIN II,
17 INC.; COMCAST OF NORTHERN CALIFORNIA I, INC.;
18 COMCAST OF NORTHERN CALIFORNIA II, INC.;
19 COMCAST OF SACRAMENTO I, LLC; COMCAST OF
20 SACRAMENTO II, LLC; COMCAST OF SAN LEANDRO,
21 INC.; COMCAST OF SIERRA VALLEYS, INC.

22 UNITED STATES DISTRICT COURT

23 NORTHERN DISTRICT OF CALIFORNIA

24 SAN FRANCISCO DIVISION

25 JON HART, On Behalf of Himself and All Others
26 Similarly Situated, and On Behalf of the General Public,

27 Plaintiff,

28 v.

COMCAST OF ALAMEDA, INC.; COMCAST OF
CALIFORNIA II, INC.; COMCAST OF CALIFORNIA
III, INC.; COMCAST OF CALIFORNIA IX INC.;
COMCAST OF CALIFORNIA V INC.; COMCAST OF
CALIFORNIA VI INC.; COMCAST OF CALIFORNIA
X INC.; COMCAST OF CALIFORNIA XIII INC.;
COMCAST CORPORATION; COMCAST OF
FRESNO, INC.; COMCAST OF MARIN I, INC.;
COMCAST OF MARIN II, INC.; COMCAST OF
NORTHERN CALIFORNIA I, INC.; COMCAST OF
NORTHERN CALIFORNIA II, INC.; COMCAST OF
SACRAMENTO I, LLC; COMCAST OF
SACRAMENTO II, LLC; COMCAST OF SAN
LEANDRO, INC.; COMCAST OF SIERRA VALLEYS,
INC.; and DOES 1-250,

Defendants.

Case No. C-07-06350 PJH

**DEFENDANTS' NOTICE OF
MOTION AND MOTION FOR
JUDGMENT ON THE
PLEADINGS**

Date: May 21, 2008

Time: 9:00 a.m.

Dept: Courtroom 3

Judge: The Honorable Phyllis J.
Hamilton

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 21, 2008 at 9:00 a.m., or as soon thereafter
3 as the matter may be heard in Courtroom 3, located at 450 Golden Gate Avenue, San
4 Francisco, CA 94102, Defendants will move and hereby does move this Court for an
5 Order for Judgment on the Pleadings. This Motion is brought pursuant to Federal Rule of
6 Civil Procedure 12(c) on the grounds that the Plaintiff's claims fail as a matter of federal
7 and state law.

8 This Motion is based upon this Notice of Motion and Motion, the accompanying
9 Memorandum of Points and Authorities, and all other matters with respect to which the
10 Court may take judicial notice, as well as all papers and pleadings on file or deemed to be
11 on file herein, and such argument as may be presented at the hearing.

12
13 Dated: March 14, 2008

DRINKER BIDDLE & REATH LLP

14
15 /s/ Michael J. Stortz

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